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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
POM-12302/29

First named inventor: **Mazumder**

Application No.: **09/608,874**

Art Unit: **2125**

Filed: **June 30, 2000**

Examiner: **Steven R. Garland**

Title: **TAILORING RESIDUAL STRESS AND HARDNESS DURING DIRECT METAL DEPOSITION**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of one-month petition for extension of time (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ _____.

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and have the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THE PTO. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Adjusted fee: 09/19/2005 AKELLEY
08/30/2005 TBSH1 00000015 09568874
02 FC:250111 -60.00 OP
Repln. Fee: 09/19/2005 AKELLEY 0013480300
DHH:07/11/05
FC: 9204
\$60.00 CR

08/30/2005 TBSH1 00000015 09568874

750.00 OP

01 FC:2453

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Aug. 24, 2005

Date

Telephone
Number:

734-913-9300

Signature

John G. Posa

Typed or printed name

PO Box 7021

Address

Troy, MI 48007

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: explanation for enclosures

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Aug. 24, 2005

Date

Signature

Sheryl L. Hammer

Type or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mazumder

Serial No.: 09/608,874

Group Art No.: 2125

Filed: June 30, 2000

Examiner: S. Garland

For: TAILORING RESIDUAL STRESS AND HARDNESS DURING DIRECT METAL
DEPOSITION

**EXPLANATION ACCOMPANYING PETITION FOR REVIVAL OF
APPLICATION ABANDONED UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Mail Stop PETITIONS
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

Applicant respectfully requests the revival of the above-referenced application. Applicant filed a response to the May 29, 2003 Office Action on September 29, 2003. A one-month extension of time should have accompanied this response, as the non-fee deadline expired August 29, 2003.

On March 18, 2004, Examiner Leo Pickard telephoned the undersigned representative asking for a copy of Applicant's September 29, 2003 response to be faxed to him. In doing so, Applicant's representative failed to supply a petition and appropriate fee.

Enclosed herewith is a true copy of Applicant's September 29, 2003 response and a one-month extension of time fee (\$60), as well as the petition fee of \$750.

Questions regarding this matter may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

By: _____

John G. Posa
Reg. No. 37,424
Gifford, Krass, Groh, Sprinkle et al
PO Box 7021
Troy, MI 48007-7021
(734) 913-9300 FAX (734) 913-6007

Date: Aug. 24, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mazumder

Serial No.: 09/608,874

Group Art No.: 2125

Filed: June 30, 2000

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For: TAILORING RESIDUAL STRESS AND HARDNESS DURING DIRECT METAL
DEPOSITION

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

OFFICE OF PETITIONS

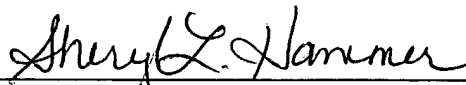
I hereby certify that the attached correspondence comprising:

Petition For Revival of Application Abandoned Unintentionally Under 37 CFR §1.137(b)
Explanation Accompanying Petition For Revival of Application Abandoned
Unintentionally Under 37 CFR §1.137(b)
True copy of Response dated Sept. 29, 2003
Petition for Extension of Time
Fee \$810
Postcard

is being deposited with the United States Postal Service as first class mail in an envelope addressed
to:

Mail Stop PETITIONS
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

On Aug. 24, 2005.



Sheryl L. Hammer



PATENT

The received stamp of the U.S. Patent and Trademark Office imprinted hereon acknowledges the filing of:

☒ Transmittal Letter ☐ New Patent Application

Page(s) Specifications Page(s) Claims

Page(s) Abstract Sheets of Drawings

☐ Small Entity Declaration ☐ Declaration & Power of Atty

☐ IDS, PTO 1449 & Patents ☐ Assignment & Recordation Cover Sheet

☒ Amendment/Response ☐ Check

Other:

Inventor: Maz vmdar
Serial/Reg. No. 10/1608,874 Atty Docket No. POM-12302/29
Date: 9-29-03 Date Due: 9-29-03
☒ Cert. Of Mailing/Express Mail

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PATENT

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